

## **REMARKS**

The present application is a division of U.S. Serial No. 10/026,159, filed December 21, 2001, which is scheduled to issue as U.S. Patent No. 6,699,495 on March 2, 2004. The claims elected and filed in this divisional are directed to non-elected restriction group III as set forth by the Examiner in connection with U.S. Serial No. 08/679,330, to which the current application claims priority. The restriction requirement appeared in an Office Action dated May 21, 1997, for U.S. Serial No. 08/679,330. The claims presented in the current divisional relate to methods for treating a condition produced by immune system dysfunction comprising administering the R(-) enantiomer of desmethylselegiline. The newly added claims do not add new matter to the application and their entry is therefore respectfully requested. Support for the newly added claims may be found as follows:

- claims 26, 43 and 46: support for “leads to an increase in  $\gamma$ -interferon production” is found at least in part at page 39, line 9 to page 40, line 17;
- claims 34, 44 and 47: support for “substantially enantiomerically pure state” is found at least in part at page 7, lines 9-12;
- claims 35-37 and 58-60: support for “infectious disease”, “age-dependent” and “AIDS” is found at least in part at page 8, lines 23-25; and page 40, line 26 to page 41, line 6;
- claims 38 and 61: support for “cancer” is found at least in part at page 38, lines 7-14;
- claims 39 and 62: support for “in response to a vaccine” is found at least in part at page 41, lines 2-5;
- claims 40 and 41: support for “about 0.5 mg/kg” and “about 1.0 mg/kg” is found at least in part at page 9, lines 16-18; page 38, line 26; and page 39, lines 12-14;

- claims 42, 45 and 48: support for “human” is found at least in part at page 7, lines 15-16; and page 10, lines 24-25;
- claim 46: support for “cancer chemotherapy” is found at least in part at page 8, lines 21-25; and page 40, line 26 to page 41, line 6;
- claims 49 and 51-53: support for “orally,” “parenterally,” “transdermally,” “buccally,” and “sublingually,” is found at least in part at page 11, lines 12-17;
- claim 50: support for “non-orally” is found at least in part at page 7, lines 5-8; and at page 8, lines 4-9;
- claim 54: support for “intravenously” is found at least in part at page 9, lines 27-29;
- claim 55: support for “subcutaneously” is found at least in part at page 31, line 5;
- claim 56: support for “intra-peritoneally” is found at least in part at page 36, lines 25-27;
- claim 57: support for “at a daily dose of at least at least in part about 0.015 mg/kg of the mammal’s body weight, calculated on the basis of the free secondary amine” is found at page 9, lines 12-17.

### CONCLUSION

In light of the foregoing amendments and remarks, Applicant respectfully submits that the present application and all claims are in condition for immediate allowance and early notice to such effect is earnestly solicited. If, in the opinion of the Examiner, a phone call may help to expedite prosecution of this application, the Examiner is invited to contact the undersigned attorney at (512) 542-8569.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



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